

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

May 2014

STAFF:

JEAN GUZZETTI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. JOHN J. CLEVELAND, CHAIR
SEN. TROY DALE JACKSON
SEN. EDWARD M. YOUNGBLOOD

REP. BARRY J. HOBBS, CHAIR
REP. ROBERTA B. BEAVERS
REP. DIANE RUSSELL
REP. SARA GIDEON
REP. DEANE RYKERSON
REP. RYAN D. TIPPING-SPITZ
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. LANCE EVANS HARVELL
REP. MELVIN NEWENDYKE

STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER.....carried over to a subsequent session of the Legislature
CON RES XXX chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSESHouse & Senate disagreed; legislation died
DIED IN CONCURRENCE defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT action incomplete when session ended; legislation died
EMERGENCYenacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT.....legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW.....sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY.....ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX chapter # of enacted public Law
RESOLVE XXX chapter # of finally passed resolve
VETO SUSTAINED.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126th Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Energy, Utilities and Technology

product package or, if using a label, the label must be plainly visible on the outside of the package. This bill also requires the retailer to provide an information bulletin to the purchaser of a cellular telephone informing the purchaser of potential health risks associated with the use of cellular telephones. A violation of this provision is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-618)

This amendment replaces the bill. It requires that any notification related to radio-frequency exposure supplied by a cellular telephone manufacturer must have the language of the notification plainly visible on the outside of the product packaging or a label, plainly visible on the outside of the product packaging, directing the consumer where to find the information. A violation of this provision is a violation of the Maine Unfair Trade Practices Act.

House Amendment "A" To Committee Amendment "A" (H-674)

This amendment provides that the requirements governing the labeling of cellular telephones or cellular telephone packaging relating to radio-frequency exposure applies only to cellular telephones sold at retail in Maine. This amendment also requires that before this legislation takes effect, four other states must adopt legislation requiring labeling of cellular telephones or cellular telephone packaging relating to radio-frequency exposure.

LD 1060

An Act To Lower Electrical Costs through Transmission Alternatives and Renewable Sources

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NEWENDYKE	OTP-AM OTP-AM	H-646

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires that the Public Utilities Commission may not issue a certificate of public convenience and necessity for the construction of a transmission line unless a description of the need for the proposed transmission line is provided; an analysis of nontransmission alternatives is conducted by an independent third party selected by the Public Utilities Commission; the projected cost of the proposed transmission line is compared to the projected cost of feasible nontransmission alternatives based on total projected costs, regardless of who pays; preference is given to lower-cost alternatives; cleaner alternatives are given preference over alternatives that rely on fossil fuels; the Public Utilities Commission makes specific findings as to whether alternatives can address the identified need at lower total cost; and all cost-effective energy efficiency and demand response resources are being acquired in the applicable service territory of the utility that has proposed the project. This bill requires that, when the commission determines that the nontransmission alternatives can address the need at lower total cost but represent a larger increased cost to ratepayers of the State than the proposed transmission line, the commission make reasonable efforts to achieve an agreement among the states within the New England independent system operator region to allocate the cost of the nontransmission alternatives among the ratepayers of the region using the allocation method used for transmission lines or another allocation method that results in lower increased cost to ratepayers of the State.

This bill also requires that lower-voltage projects that are capable of operating at less than 69 kilovolts and projected to cost in excess of \$20,000,000 must be reviewed and approved by the Public Utilities Commission before erection of the transmission line. The bill also establishes standards the Public Utilities Commission must use to review a lower-voltage project.

The committee included provisions related to non-transmission alternatives in LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment during the First Regular Session of the 126th Legislature.

Joint Standing Committee on Energy, Utilities and Technology

Committee Amendment "A" (H-646)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment strikes and replaces the bill.

This amendment:

1. Increases the capacity limit of eligible facilities under the net energy billing program from 660 kilowatts to one megawatt;
2. Directs the Public Utilities Commission to adopt rules requiring investor-owned transmission and distribution utilities to compensate customers that generate accumulated unused kilowatt-hour credits under the net energy billing program at a value that represents the wholesale value of electricity; and
3. Directs the Public Utilities Commission in consultation with the State's investor-owned transmission and distribution utilities, the Efficiency Maine Trust and others to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. The purpose of the report is to identify areas of stress or reliability deficiencies in the transmission and distribution system as early as possible in order to allow sufficient time to plan and implement more cost-effective alternatives to building or upgrading distribution lines to meet reliability needs.

Committee Amendment "B" (H-647)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment strikes and replaces the bill. This amendment directs the Public Utilities Commission in consultation with the State's investor-owned transmission and distribution utilities, the Efficiency Maine Trust and others to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. The purpose of the report is to identify areas of stress or reliability deficiencies in the transmission and distribution system as early as possible in order to allow sufficient time to plan and implement more cost-effective alternatives to building or upgrading distribution lines to meet reliability needs.

LD 1085 An Act To Establish the Renewable Energy Feed-in Tariff

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires the Public Utilities Commission to establish a renewable energy resources feed-in tariff program to encourage the rapid and sustainable development of renewable energy resources and technology for environmentally healthy generation of electricity. It requires that utilities purchase renewably produced electricity from all qualified suppliers. It sets the rate that electric utilities must pay for such power. It requires that utilities enter into a standard contract with all renewable energy suppliers for a set term. It establishes for the Public Utilities Commission management and oversight responsibilities.

Committee Amendment "A" (S-396)

This amendment incorporates a fiscal note.